

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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JODY BYRD, #236 552

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Plaintiff,

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v.

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2:06-CV-1109-WKW

PHS MEDICAL DENTIST, *et al.*,

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Defendants.

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**ORDER**

Upon review of the file in this case, and for good cause, it is ORDERED that on or before March 8, 2007 Plaintiff shall show cause why this case should not be dismissed for his failure to pay the initial partial filing fee in compliance with the order entered on February 2, 2007. (Doc. No. 12.) In filing his response, Plaintiff shall advise the court of whether he authorized prison officials to withdraw funds from his prison account for payment of the initial partial filing fee, whether he has simply chosen not to submit the filing fee, or whether he is unable to comply at this time with the order directing payment of an initial partial filing fee. If Plaintiff does not wish to continue with this cause of action, he shall so advise the court and file a motion to dismiss.

Plaintiff is cautioned that his failure to file a response to this order will result in a Recommendation that this case be dismissed.

It is further ORDERED that the court's directive that Defendant file a special report to the complaint be held in ABEYANCE pending Plaintiff's compliance with the instant

order.

The Clerk is DIRECTED to send a copy of this order to Plaintiff, to Defendant PHS Male Dentist, and to General Counsel for Prison Health Services, Inc.

Done, this 27<sup>th</sup> day of February 2007.

/s/Terry F. Moorer  
TERRY F. MOORER  
UNITED STATES MAGISTRATE JUDGE